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NICK HARVEY MP  
MINISTER OF STATE FOR THE ARMED FORCES

MSU/4/7/3/2/ls

28 September 2010

*Dear Dr Phoenix,*

Thank you for your letter of 7 July in response to the earlier reply you received from Rod Latham in my office. Please accept my apologies for the delay in my writing back to you.

May I first take this opportunity to offer my sympathies for the death of your husband. I fully understand that you rightly wish to be satisfied that what you were told at the time is correct, and that lessons have been learned and acted upon. I share your admiration for our Armed Forces and your passion to ensure that they have the right equipment as well as the duty of care they deserve. As you may be aware, this Government has committed to rebuild the military covenant. This is something the Prime Minister, Defence Secretary and I take extremely seriously.

Since Mr Latham wrote to you, we have announced that we will be conducting an independent review of the evidence related to the tragic crash on the Mull of Kintyre. Lord Philip has agreed to conduct the review, bringing with him a wealth of judicial experience. He would welcome representations from those with knowledge of the issues involved, and you may wish to consider contacting his office to feed your concerns into the review. You can contact the review's Secretary, Mr Alex Passa, at The Mull of Kintyre Review, 1 Melville Crescent, Edinburgh, EH3 7HW.

While the review is ongoing, I hope you will appreciate that I do not wish to say anything that might prejudice its outcome. I regret that I am therefore unable to comment on some of the issues you raised until the review has concluded. However, I would like to take the opportunity to address two points you raised in your letter.

Dr Susan Phoenix  
Urb. Park Beach  
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Firstly, you mentioned that there is a discrepancy in Mr Latham's letter. He stated that there were no changes to the Release to Service "proposed but not promulgated" prior to June 1994, whilst, as you point out, there were Service Deviations signed in April 1994 but the Amendment List 2 was not issued until June that year. This apparent discrepancy arises because although the Amendment List was not indeed issued until the June, individual Service Deviations would be sent out to units by Signal, as soon as they were signed. The Amendment List was, in effect, a consolidation of items previously issued, along with anything new required at the time.

In regard to your second point, on who was responsible for issuing the Release to Service, I can only reiterate that prior to 1995/1996, the Release to Service took the form of a "Controller Aircraft" release, accompanied as necessary by Service Deviations; and the original document would be signed off by the Controller Aircraft, not by ACAS. The original Release for the Chinook Mk 2 was signed off by Sir Donald Spiers. The "Military Aircraft Release" (which, again, formed part of the Release to Service along with any Deviations), signed off by ACAS, was only introduced when the post of Controller Aircraft was disestablished. Without sight of the document which you say you have, bearing the signature of ACAS, I regret that I cannot provide any further clarification on this issue.

I hope that this letter helps clarify some of your queries, and please do let me know if there is anything more I can do. Let me finish by reiterating the determination I share with you to ensure that our Armed Forces are treated properly in return for the immense sacrifices that they make.

*Yours sincerely*

*Nick Harvey*

**NICK HARVEY MP**

# The Mull of Kintyre Review

The Mull of Kintyre Review, 1 Melville Crescent, Edinburgh, EH3 7HW  
Tel: 0131 244 9074 Email: enquiries@mullofkintyrereview.org.uk

Dr Susan Phoenix,  
Urb Park Beach,  
Bl. 15.1-1Dch.  
29680 Estepona  
Malaga  
Spain

22<sup>nd</sup> September 2010

*Dear Dr. Phoenix,*

Thank you for your letter of 5<sup>th</sup> August. I am sorry I have not been able to reply before now, but it has taken some time to set up the Review office.

May I first express my sympathy for your loss. On the announcement by the Secretary of Defence, Liam Fox, that I would chair the independent review of the evidence into the crash, I wrote to all the next of kin, where we had contact details. I hope the PSNI have been able to forward my letter to you.

As you rightly say there are many theories regarding the crash on the Mull of Kintyre. The Defence Secretary has asked me to examine all available evidence relating to the findings of the Board of Inquiry. I can assure you that neither I, nor my fellow Privy Counsellors, have formed any view on this tragedy and we intend to approach this task from a fresh perspective.

I stated in my letter to all interested parties, that this review will be based on an examination of the available papers but would also consider any concerns and issues raised with the Review. I am, therefore, grateful for your letter and its attachments.

Should you wish to discuss your concerns with me or my fellow Privy Counsellors please contact me or the Review Secretary, Alex Passa, on 0131 244 9074 or on his current email: alexander.passa@scotlandoffice.gsi.gov.uk.

Finally, please do not hesitate to contact us if there are any other issues or concerns you wish to raise.

*Yours sincerely,*

A M PHILIP

*A Philip*



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

**TOMMY JOHNSTON**  
**STAFF OFFICER TO CHIEF CONSTABLE**

Our Ref: Com Sec 10\5766

20, September 2010

Dear Dr. Phoenix,

Please find enclosed a letter from Lord Philip in relation to the Mull of Kintyre Review.

I will be forwarding all correspondence on behalf of the Review to the address that we currently hold for you rather than provide that address outside the PSNI. However, should you wish to provide your details to the Review to enable direct correspondence, then their contact details are contained within the letter. If that would be your desire I would appreciate it if you could so inform me.

If you have any other queries please do not hesitate to contact me directly.

Yours Sincerely,  
*Tommy Johnston*

**TOMMY JOHNSTON**  
Sergeant

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The Mull of Kintyre Review  
1 Melville Crescent  
Edinburgh  
EH3 7HW

16<sup>th</sup> September 2010

I regret that I cannot write to you personally but have asked Sergeant Johnston to forward this letter to you.

Today the Secretary of Defence, Dr Liam Fox, announced that I will chair the independent review of the evidence into the Mull of Kintyre Chinook crash. He has asked me to examine all available evidence relating to the findings of the Board of Inquiry into the fatal accident and report to him as expeditiously as possible.

I retired from the Bench in 2007 having held several judicial appointments including Lord of Session and Lord Commissioner of Justiciary. I can assure you I have not formed any view on this tragedy and intend to approach this task from a fresh perspective. In undertaking this review I will be working closely with a panel of three Privy Counsellors: The Rt Hon the Baroness Liddell of Coatdyke, The Rt Hon the Lord Forsyth of Drumlean and The Rt Hon Malcolm Bruce MP.

I am writing to you today firstly to personally inform you of this review and my desire to complete it as expeditiously as possible basing it on an examination of the available papers. While I will not be seeking formal hearings my colleagues and I would welcome, should you wish, an informal meeting to discuss the review. Secondly so that we can address them directly in our work, I would welcome a summary of your concerns and issues and reference any specific material you feel is worthy of particular examination.

Should you wish to meet with me and the review committee or submit any material please contact the Review Secretary:

Alex Passa  
Mull of Kintyre Review  
1 Melville Crescent  
Edinburgh, EH3 7HW  
Telephone: 0131 244 9074

We are setting up a Review email account but in the meantime you can also contact Alex on: alexander.passa@scotlandoffice.gsi.gov.uk.

I look forward to any contribution you wish to make and please do not hesitate to contact me or the Review Secretary if there are any other issues or concerns you wish to raise.

*Yours sincerely,*

*Sandy Philip*

**SANDY PHILIP**